
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/055,097	§	Examiner:	Nano, Sargon N.
Filed:	January 2, 2002	§	Group/Art Unit:	2157
Inventor:		§	Atty. Dkt. No:	5681-07100
Bernard A. Traversat, et al.		§		
		§		
		§		
		§		
Title:	RELAY PEERS FOR	§		
	EXTENDING PEER	§		
	AVAILABILITY IN A	§		
	PEER-TO-PEER	§		
	NETWORKING	§		
	ENVIRONMENT	§		
		§		

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief–Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Notification of Non-Compliant Appeal Brief mailed on August 2, 2007.

REMARKS

Applicants received a Notice of Non-Compliant Appeal Brief for the above-referenced application. In this Notice, the Examiner stated that Applicants' Appeal Brief filed April 23, 2007 fails to comply with 37 CFR 41.37(c). Specifically, the Examiner notes that the section entitled "Summary of claimed subject matter" must contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal and requests appropriate corrections. Applicants assert, however, that the Summary section included on pages 6-12 of the Amended Appeal Brief filed on April 23, 2007 contains a concise explanation of the subject matter defined in each of the independent claims involved in the appeal (i.e., claims 1, 11, 20, 30, 37, 45, 51, and 57). The Examiner did not indicate any specific reason for believing that the brief was lacking the required concise explanation of the subject matter defined in each of the independent claims involved in the appeal. Since the Appeal Brief filed April 23, 2007 clearly includes a proper concise explanation of the subject matter defined in each of the independent claims involved in the appeal, it appears that the Notice of Non-Compliant Appeal Brief must have been sent in error. Applicants assert that the brief is in complete compliance with all sections of 37 CFR 41.37 and must be considered.

CONCLUSION

Applicants assert that the Amended Appeal Brief filed on April 23, 2007 is compliant with all applicable provisions of 37 CFR 41.37.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-07100/RCK.

Respectfully submitted,

/Robert C. Kowert/
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Date: September 4, 2007